

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

|                           |   |                         |
|---------------------------|---|-------------------------|
|                           | ) |                         |
| UNITED STATES OF AMERICA, | ) |                         |
| Petitioner,               | ) |                         |
|                           | ) |                         |
| v.                        | ) | M.B.D. No. 04-10296-NMG |
|                           | ) |                         |
| RICHARD EARLY, III,       | ) |                         |
| Respondent.               | ) |                         |

**MOTION TO WITHDRAW PETITION  
TO ENFORCE INTERNAL REVENUE SERVICE SUMMONS**

The United States of America, on behalf of its agency, the Internal Revenue Service, and by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby moves this Court to withdraw its Petition to Enforce Internal Revenue Summons which was filed with this Court.

On January 5, 2005, this Court issued an Order Enforcing Internal Revenue Service Summons for the respondent to appear before a Revenue Officer on February 4, 2005.

-2-

The petitioner now seeks to withdraw its petition because the respondent has complied with the Internal Revenue Service Summons.

Respectfully submitted:

MICHAEL J. SULLIVAN,  
United States Attorney

By: /s/Anton P. Giedt  
ANTON P. GIEDT  
Assistant U.S. Attorney  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way - Suite 9200  
Boston, MA 02210  
(617) 748-3282

**Certificate of Service**

I hereby certify that on this day I gave notice of the filing of the foregoing Motion to Withdraw by mailing a copy of same, postage prepaid, first class mail to Richard Early, III, P.O. Box 5222, Bradford, MA 01833.

By: /s/Anton P. Giedt  
ANTON P. GIEDT  
Assistant U.S. Attorney

Dated: 11/8/05